

SNYDER LAW OFFICE, P.C.

Randall A. Snyder
Edward P. Nolde
Attorneys at Law

8090 MT Highway 35
P.O. Box 717
Bigfork, MT 59911

(406) 837-4383
Fax (406) 837-4385
E-mail: secretary@rsnyderlaw.us

January 13, 2009

Gary L. Perry
Montana Senate Judiciary Committee, Chair

via email perrysd35@aol.com

RE: SB 158: increase in district judges

Dear Chairman Perry;

I have practiced law in the Flathead Valley since 1983. I have seen three cycles of growth in this area, similar to Montana's other hot spots. While I am primarily a general practitioner, I perform many quiet title proceedings for real estate and some contested estate and construction cases. I have watched homes, commerce and the resulting increase to our judiciary overwhelm our local courts. About ten years ago, we thought that adding a third district judge would address our needs. And for a time, it helped.

Your committee will have the stats and numbers of case filings, trials and the like. I can only tell you the results. The judiciary is barely able to keep up with uncontested cases (name changes, guardian appointments, some domestic matters) but there is no hope of getting nonjury cases decided in a timely manner. I have tried cases in Sanders, Lake, Missoula and Ravalli Counties. In any other county, I receive a judge's decision on procedural matters within one to two months and the final decision on the case within three months. In Flathead County, any contested matter can take one to two years to be resolved. I know of other counsel and I personally have had cases settle, not because of merits, but because the litigants cannot get a decision. Our judges work tirelessly and treat the public well, but they can not work weekends or evenings just to keep up. And we can not allow the public and local business to not have a functional judiciary.

Unfortunately, some cases must be tried and decided by the court. Presently, that function does not function. I urge the committee and legislature to approve SB 158.

Sincerely,


Randall A. Snyder

RAS/ns